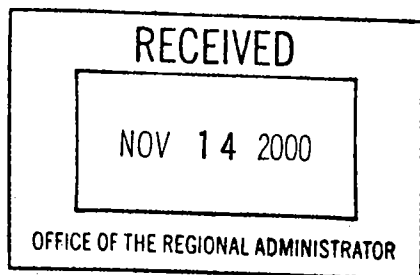


Tribal Chief
Brenda Commander
Tribal Council
Susanne Desiderio
David Lindsay
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HOULTON BAND OF MALISEET INDIANS

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cc: M. Lutter
S. Silva
T. Williamson
C. Conroy

11/08/00

Hon. Carol Browner
Administrator
US Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

**Re: Application of the State of Maine for Delegation of Authority to Administer
NPDES Permits within Indian Country in Maine**

Dear Ms. Browner:

On behalf of the Houlton Band of Maliseet Indians, I write to urge the United States Environmental Protection Agency (EPA) to retain NPDES authority within the trust lands, territories and reservations of the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians, and the Aroostook Band of Micmac Indians. This is a matter of grave importance to the principle of tribal self-government, a principle which binds all Indian tribes.

The Tribes in Maine are riverine peoples. They have, for thousands of years, depended upon the rivers on which they live for physical, spiritual, and cultural support. Their treaties guarantee their right to rely upon and use the rivers for physical and cultural sustenance. The constitution requires the United States to protect that right in accordance with the highest fiduciary standards.

The State of Maine, unlike the federal government, has no trust obligation to protect the Maine Tribes, their resources, their cultural integrity, or their rights of self-governance. These are fragile rights. When lost or harmed, they cannot be recaptured, or compensated for. And they cannot be "monitored" from afar.

We therefore believe that is of the utmost importance that the EPA withhold NPDES delegation from the State of Maine for the trust lands and territories of Indian tribes in that state. To do otherwise would be a serious, unprecedented abdication of the federal trust responsibility to Native American people.

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letter from HBMI
to Administrator Browner
11/08/00

Sincerely,

Brenda Commander

Brenda Commander
Tribal Chief

cc. Hon. Mindy Lubber, Regional Administrator, EPA
Hon. Barry Dana, Governor, Penobscot Nation
Hon. Richard Stevens, Governor, Passamaquoddy Tribe
Hon. Richard Doyle, Governor, Passamaquoddy Tribe
Hon. William Phillips, Chief, Aroostook Band of Micmac Indians
Hon. Kevin Gover, Assistant Secretary, United States Department of the Interior
Hon. John Baldacci, Congressional Representative
Hon. Olympia Snow, Congressional Representative
Hon. Susan Collins, Congressional Representative